

From: Keith R. Personett
To: Microsoft ATR
Date: 1/24/02 10:06am
Subject: Microsoft Settlement

To whom it may concern:

I understand that the public has until January 28th to comment on the proposed settlement of the Microsoft Antitrust trial... with this in mind, I will try to keep this email brief, while expressing my full opinion on the matter. I am also urging my friends and associate to express their opinions on this matter.

After watching this case for the past few years, very closely, I would like to register these comments on the proposed settlement.

In my opinion, the proposed settlement is more than fair to the Department of Justice and the 9 settling states, and is in fact, a very gracious and extensive concession by Microsoft. Considering the following points, I would say that no harm was done to other companies, or to consumers, and that Microsoft is going far beyond what should be expected of them as far as settling this dispute...

1.. Netscape was purchased for a very healthy price (by America Online), and the stockholders of Netscape made great fortunes on it's acquisition. Netscape is still a functioning company with the support of the entire AOL/Time-Warner conglomerate.

2.. Consumers continued to get more value and features, while paying less for their computer operating system and applications.

3.. Netscape didn't think twice about Microsoft as a competitor until Internet Explorer 3 came out and was reviewed as being a competitor to Netscape Navigator. Even at that point, Netscape didn't get worried about their share in the browser market until Microsoft released IE4, which was reviewed as a much more stable, much more full-featured, and much easier to use product.

4.. Microsoft didn't invent the free distribution of a browser, Netscape did, and offered it for download from their website from the beginning. It appears to me that using a similar distribution method and pricing structure cannot be construed as using unfair distribution methods.

5.. Every other Operating System on the market ships with an Internet Browser, Linux, Solaris, Several *nix variants, even IBM OS/2 ships with an Internet Browser.

6.. There are other companies out there that remain profitable in the Internet Browser market place, the Opera Internet browser is an example.

7.. Internet Explorer has shipped with Windows since Windows 95 was released. While it was inferior to Netscape Navigator, it was an Internet Browser supporting the HTML specification. (I still have my original Windows 95 CD, and it installs IE2 with it).

8.. This case was brought on primary through the backing of three companies, who are in fact, 3 fierce competitors to Microsoft in several key areas of Computer and Communications technology... If not for the lobbying and pressure made by these three companies, the Government would not have brought up this issue, and the public would not be watching millions, if not billions of their tax dollars being spent on this case.

1.. Sun Microsystems, who is competing with Microsoft in the Server, Software Development, and E-Commerce Market.

2.. America Online, who is competing with Microsoft in the Online Services and Internet Browser Market

3.. Oracle Corporation, who competes with Microsoft in the Applications and E-Commerce Market.

9.. The continued pursuit of this issue depresses the stock market and the economy as a whole. It is a constant drain on technical, legal, and clerical resources throughout the companies involved, the Federal

Government, the Governments of all of the states involved, and countless other organizations that are merely sitting on the sidelines reporting on every word and phrase issued regarding the case. All of these resources would be much better used creating something instead of destroying something.

With that said, I urge you to agree to and support the proposed settlement, and allow this issue to be put to bed, so that the country, the economy, and the citizens of the United States can return to productivity and profitability.

Thank you very much for your time, and God Bless American and the Capitalist System.

Keith R. Personett